

CLOSED

**U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:05-cv-03721-DMC-MF**

JOSEPH v. U.S. DEPARTMENT OF HOMELAND
SECURITY, WASHINGTON, DC 20528 et al
Assigned to: Judge Dennis M. Cavanaugh
Referred to: Magistrate Judge Mark Falk
Cause: 05:552 Freedom of Information Act

Date Filed: 07/26/2005
Date Terminated: 09/28/2005
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**WARREN HILARION EUSTA
JOSEPH**

represented by **CLAUDIA SLOVINSKY**
LAW OFFICE OF CLAUDIA
SLOVINSKY
396 BROADWAY
SUITE 601
NEW YORK, NY 10013
(212) 925-0101
Email: cslovinsky@slovinsky.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF HOMELAND
SECURITY, WASHINGTON, DC 20528**

represented by **PETER G. O'MALLEY**
OFFICE OF THE U.S. ATTORNEY
970 BROAD STREET
SUITE 700
NEWARK, NJ 07102
(973) 645-2921
Email: peter.omalley@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MICHAEL CHERTOFF
*in his official capacity as Secretary of the
Department of Homeland Security*

represented by **PETER G. O'MALLEY**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/26/2005	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY, WASHINGTON, DC 20528, MICHAEL CHERTOFF (Filing fee \$ 250 receipt number 333690.) , filed by WARREN HILARION EUSTA JOSEPH.(lm2,) (Entered: 07/28/2005)
07/28/2005		Summons Issued as to U.S. DEPARTMENT OF HOMELAND SECURITY, WASHINGTON, DC 20528, MICHAEL CHERTOFF.Days Due – 60. (MAILED TO COUNSEL) (lm2,) (Entered: 07/28/2005)
08/05/2005	<u>2</u>	SUMMONS Returned Executed by WARREN HILARION EUSTA JOSEPH as to Dept of Homeland Security and Michael Chertoff via certified mail. (jd,) (Entered: 08/08/2005)
08/29/2005	<u>3</u>	Application and Proposed Order for Clerk's Order to extend time to answer as to Department of Homeland Security and Michael Chertoff, Secretary. Attorney PETER G. O'MALLEY and PETER G. O'MALLEY for U.S. DEPARTMENT OF

		HOMELAND SECURITY, WASINGTON, DC 20528 and MICHAEL CHERTOFF added. (O'MALLEY, PETER) (Entered: 08/29/2005)
08/30/2005		Minute Entry for proceedings held before Judge Mark Falk: Settlement Conference held on 8/30/2005. (mm,) (Entered: 08/31/2005)
09/01/2005	<u>4</u>	MOTION for Preliminary Injunction / <i>Order to Show Cause</i> by WARREN HILARION EUSTA JOSEPH. (Attachments: # <u>1</u> Affidavit Affirmation of Counsel)(SLOVINSKY, CLAUDIA) (Entered: 09/01/2005)
09/01/2005		Minute Entry for proceedings held before Judge Mark Falk: Telephone Conference held on 9/1/2005. (mm,) (Entered: 09/06/2005)
09/02/2005		Set Deadline as to <u>4</u> MOTION for Preliminary Injunction / <i>Order to Show Cause</i> . Motion Hearing set for 9/26/2005 before Judge Dennis M. Cavanaugh. (PLEASE BE ADVISED THAT THIS MTOION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr,) (Entered: 09/02/2005)
09/02/2005		Clerk's extension of time granted doc #3 Update Answer Due Deadline as to defts Dept. of Homeland Security & Michael Chertoff as to 9/20/05 (sr,) (Entered: 09/02/2005)
09/02/2005		Minute Entry for proceedings held before Judge Dennis M. Cavanaugh : Telephone Conference held on 9/2/2005. (MD,) (Entered: 09/07/2005)
09/07/2005	<u>5</u>	ORDER to produce records; etc. Signed by Judge Dennis M. Cavanaugh on 9/2/05. (sr,) (Entered: 09/07/2005)
09/20/2005	<u>6</u>	Letter from Peter G. O'Malley, AUSA. (O'MALLEY, PETER) (Entered: 09/20/2005)
09/28/2005	<u>7</u>	ORDER voluntarily DISMISSING CASE. Signed by Judge Dennis M. Cavanaugh on 9/27/05. (sr,) (Entered: 09/28/2005)
09/29/2005	<u>8</u>	MOTION for Attorney Fees <i>With Attached Affirmation of Counsel</i> by WARREN HILARION EUSTA JOSEPH. (Attachments: # <u>1</u>)(SLOVINSKY, CLAUDIA) (Entered: 09/29/2005)
10/07/2005	<u>9</u>	Rule 7.1 Letter for extension of return date re <u>8</u> MOTION for Attorney Fees <i>With Attached Affirmation of Counsel</i> filed by U.S. DEPARTMENT OF HOMELAND SECURITY, WASINGTON, DC 20528, MICHAEL CHERTOFF. (O'MALLEY, PETER) (Entered: 10/07/2005)
10/07/2005	<u>10</u>	Rule 7.1 Letter for extension of return date re <u>8</u> MOTION for Attorney Fees <i>With Attached Affirmation of Counsel corrected</i> filed by U.S. DEPARTMENT OF HOMELAND SECURITY, WASINGTON, DC 20528, MICHAEL CHERTOFF. (O'MALLEY, PETER) (Entered: 10/07/2005)
10/07/2005		Set Deadline as to <u>8</u> MOTION for Attorney Fees <i>With Attached Affirmation of Counsel</i> . Motion Hearing set for 10/24/2005 before Judge Dennis M. Cavanaugh. (PLEAE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (sr,) (Entered: 10/07/2005)
11/03/2005	<u>11</u>	RESPONSE in Opposition re <u>8</u> MOTION for Attorney Fees <i>With Attached Affirmation of Counsel with request for leave to file out of time</i> filed by U.S. DEPARTMENT OF HOMELAND SECURITY, WASINGTON, DC 20528, MICHAEL CHERTOFF. (Attachments: # <u>1</u> Declaration of Valerie McKeithan)(O'MALLEY, PETER) (Entered: 11/03/2005)
11/10/2005	<u>12</u>	REPLY to Response to Motion re <u>8</u> MOTION for Attorney Fees <i>With Attached Affirmation of Counsel</i> filed by WARREN HILARION EUSTA JOSEPH. (SLOVINSKY, CLAUDIA) (Entered: 11/10/2005)
03/06/2006	<u>13</u>	ORDER scheduling oral argument regarding pltf's motion for atty fees on 3/10/06 @ 10:00 a.m.. Signed by Judge Mark Falk on 3/2/06. (sr,) (Entered: 03/06/2006)

03/10/2006	<u>14</u>	Minute Entry for proceedings held before Judge Mark Falk : Motion Hearing held on 3/10/2006 re <u>8</u> MOTION for Attorney Fees filed by WARREN HILARION EUSTA JOSEPH. Ordered motion granted. Opinion stated on the record. OTBS (Tape #F 2006 C.) (jr) (Entered: 03/10/2006)
03/29/2006	<u>15</u>	ORDER granting <u>8</u> Motion for Attorney Fees . Signed by Judge Mark Falk on 3/21/06. (sr,) (Entered: 03/29/2006)